

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
September 6-10, 1999

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
9-8	EX	74/735,210	J. R. Simplot Co.	Seeherman Hairston* Bottorff	whether the matter asserted for registration is used as a service mark or merely as a trade name	Refusal Reversed		"BIG SKY ANIMAL HEALTH" [distributorship services in the field of veterinary products]		Zak	No
9-8	OPP	97,715	Dymon, Inc. v. Canyon Global Corp.	Simms Hanak Bucher*	2(d)	Opposition Dismissed	"ROUGH TOUCH" [waterless hand cleaner; waterless hand towels impregnated with a chemical; liquid hand cleaners]	"ROUGH STUFF" [hand creams]			No
9-8	EX	75/252,116	Norstar Consumer Products Co., Inc.	Quinn Hohein Chapman*	2(e)(1)	Refusal Affirmed		"HEEL & SOLE" [foot balm]		I. Williams	No
9-8	EX	75/100,174	Transaction Network Services, Inc.	Hanak* Hairston Chapman	2(d)	Refusal Affirmed		"RETAILINK" [telecommunications equipment for transmitting and receiving digital and analog signals over an integrated services digital network, namely used for voice and data transmissions in telecommunications applications such as high speed data send/receipt, multiple voice connections, global computer network access, small office, and retail environments]	"RETAIL LINK" [computer software for use by retail establishments and their vendors with respect to inventory control, pricing, and product requirements]	Kim	No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration
(2) *=Opinion Writer; (D)=Dissenting Panel Member

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
September 6-10, 1999 (continued)

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
9-8	EX	74/528,311	Software Publishers Assn.	Hanak Walters* Bucher	whether specimens show certification mark use of matter asserted for registration	Refusal Reversed		"CSM" [certification mark for software asset and licensing management]		Melnick	No
9-8	OPP	101,515	Motorola, Inc. v. Alliance Research Corp.	Walters* Chapman Bucher	2(d)	Opposition Sustained	"VIBRACALL" [radio telephones and accessories, namely, batteries and battery chargers]	"VIBRARING" [cellular accessories, namely, cellular telephone batteries containing circuitry that provides notice of an incoming call useful in cellular communication systems]			No
9-10	EX	75/091,534	Porcelain Metals Corp.	Cissel Hohein* Chapman	2(d)	Refusal Affirmed		configuration of the kettle portion of a barbecue grill [barbecue grills]	configuration of the kettle portion of a barbecue grill [barbecue grills]	Cole	No
9-10	EX EX	75/187,412 75/187,413	Biofertec Ltd.	Simms Quinn* Hohein	2(e)(1)	Refusal Affirmed (in both cases)		"INTRA VAGINAL CULTURE" [medical services, namely, in vivo fertilization of human embryos]; "IVC" [in vivo fertilization kit including vaginal tube, syringes, pipette tips, containers and ancillary equipment for in vivo fertilization procedure; medical services, namely, in vivo fertilization of human embryos]		T. Lee	No

- (1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration
(2) *=Opinion Writer; (D)=Dissenting Panel Member

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
September 6-10, 1999 (continued)

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
9-10	EX	75/187,119	Shelby Elastics, Inc.	Hairston Chapman Bucher*	2(d)	Refusal Affirmed		"WEB-LOK" [elastic fabric containing both a horizontal and vertical lock stitch to prevent runs or unraveling in either direction sold as an integral component of orthopedic back support products]	"WEBLOX" [non-woven fabrics made from textile fibers, or mixtures thereof, and such non-woven fabrics in combination with other textile fabrics, in the piece and in cut lengths or sizes, for use as substitutes for knitted, netted and woven fabrics and the like]	R. McMorrow	No
9-10	EX	75/198,670	Common-wealth Sports Management, Inc.	Hanak Quinn Bucher*	2(e)(1)	Refusal Affirmed		"LIFE READINESS PROGRAM" [educational services, namely, conducting classes, seminars, conferences, and workshops for professional basketball players in the field of finance, health, communications, and personal skills]		Powers	No
9-10	OPP	106,022	My Own Meals, Inc. v. My Own Mail, Inc.	Cissel Quinn Chapman*	2(d)	Opposition Dismissed	"MY OWN MEAL" [shelf-stable, prepackaged, prepared children's meals and adult meals]	"MY OWN MAIL" [mail order services featuring children's merchandise and children's gift packages]			No

(1) EX=Ex Parte Appeal; OPP=Opposition; CANC=Cancellation; CU=Concurrent Use; (SJ)=Summary Judgment; (MD)=Motion to Dismiss; (MR)=Motion to Reopen; (R)=Request for Reconsideration

(2) *=Opinion Writer; (D)=Dissenting Panel Member